

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

RECEIVED & FILED
'00 JAN 12 AM 11 07

CLERK'S OFFICE
U.S. DISTRICT COURT
SAN JUAN, P.R.

CRISTOBAL COLON DIAZ.

Plaintiff,

v.

CIVIL NO. 97-1243 (RLA)

SERGIO GONZALEZ, et al.,

Defendants.

ORDER CONTINUING SETTLEMENT CONFERENCE
SETTING DEADLINE FOR CONCLUDING DEPOSITIONS
FOR SUBMITTING DISPOSITIVE MOTIONS AND
SCHEDULING JURY TRIAL AND
PRETRIAL/SETTLEMENT CONFERENCE

SETTLEMENT CONFERENCE

It appearing that settlement is not viable at this time, plaintiff's Informative Motion Regarding Settlement Efforts and Request of Order to Vacate Setting of Settlement Conference, filed on January 12, 2000 (docket n0. 38) is hereby **GRANTED**.

Accordingly, the Settlement Conference scheduled for January 12, 2000 is hereby **VACATED AND SET ASIDE**.

39 no

CIVIL NO. ~~99-1116~~ (RLA)
97-1243

Page 2

DEPOSITIONS

The following pending depositions¹ shall be concluded on or before February 12, 2000:

1. ANGEL MORALES
2. OSCAR ROMERO
3. MANUEL FELICIANO
4. MIRIAM MERCADO

DISPOSITIVE MOTIONS

The following deadlines are hereby set for the parties to exchange and file any dispositive motions in this action in accordance with the procedure set forth in the Amended Standing Order issued by the undersigned on May 19, 1998:

- | | |
|-----------|---|
| 3/20/2000 | Deadline for service of dispositive motions. |
| 4/10/2000 | Deadline for service of oppositions. |
| 4/24/2000 | Deadline for service of replies (if warranted). |
| 5/2/2000 | Deadline for service of sur-replies (if warranted). |
| 5/5/2000 | Deadline for filing dispositive motion package. |

JURY TRIAL

TRIAL in this action hereby set for **August 29, 2000 at 9:30 a.m.**

¹ Plaintiff's Informative Motion Regarding discovery of Evidence... filed on November 30, 1999 (docket No. 37) is **NOTED**.

CIVIL NO. ~~99-1116~~ (RLA)
97-1243

Page 3

PRETRIAL/SETTLEMENT CONFERENCE

A **PRETRIAL/SETTLEMENT CONFERENCE**, to be held before the undersigned,² is hereby scheduled for **August 18, 2000 at 10:00 a.m.**

A Proposed Joint Pretrial Order³ shall be filed **on or before August 11, 2000**, and shall contain the following:

I. Nature of the Case

A statement of the nature of the case agreed upon by all parties which shall include issues of jurisdiction. In the event that the parties cannot agree upon a single description, separate versions shall be submitted.

II. Theories of the Parties

Each party shall present concisely its pertinent legal theories including applicable citations to statutes and caselaw. Counsel are directed to fully disclose all trial issues since the Proposed Joint Pretrial Order will supersede the pleadings in establishing the issues to be heard and considered at trial.

III. Admitted Facts

The parties shall provide a comprehensive listing of all admitted or stipulated facts.

² The parties shall contact the undersigned's chambers to verify where the conference will be held.

³ A courtesy copy to be delivered directly to the chambers of the undersigned.

CIVIL NO. ~~99-1116~~ (RLA)
97-1243

Page 4

1
2 **IV. Contested Facts**

3 The parties shall provide a listing of contested
4 facts.

5 **V. List of Exhibits**

6 This section shall contain a listing of all exhibits
7 which have been pre-marked/numbered. Each exhibit shall be
8 identified by a descriptive title as well as its identification
9 number. The parties shall indicate those exhibits, if any,
10 which are not objected to by opposing counsel.

11 **VI. Depositions**

12 The party wishing to use deposition testimony at
13 trial shall list the depositions. Additionally, designations
14 and objections shall be submitted in accordance with the
15 undersigned's STANDING ORDER FOR CIVIL TRIALS issued on
16 February 10, 1994.

17 **VII. Witnesses and Interpreters**

18 Each party shall identify witnesses to be presented
19 at trial and include a brief, one paragraph, offer of proof.

20 Additionally, the parties shall specifically identify those
21 witnesses who will need the services of a court-certified
22 interpreter during trial.
23
24
25
26

CIVIL NO. ~~99-1116~~ (RLA)
97-1243

Page 5

VIII. Expert Witnesses and Interpreters

Each party shall list its expert witnesses and include his/her curriculum vitae and an offer of proof. If an expert report has been produced, the report shall be submitted in conjunction with the offer of proof. Additionally, the parties shall specifically identify those experts who will need the services of a court-certified interpreter during trial.

IX. Itemized Statement of Special Damages

In anticipation that the issue of special damages may arise, an itemized statement of special damages shall be incorporated into the Proposed Joint Pretrial Order. The party or parties not in agreement with the proposed statement shall include its/their opposition in this section.

X. Estimated Length of Trial

Parties shall indicate the estimated length of trial.

The Proposed Joint Pretrial Order may be modified by this Court only upon a showing of good cause.

STANDING ORDER

The parties shall file a TRIAL BRIEF, PROPOSED JURY INSTRUCTIONS, PROPOSED VOIR DIRE and PROPOSED VERDICT FORM⁴ no later

⁴ Courtesy copies of all these documents shall be delivered directly to the chambers of the undersigned.

CIVIL NO. ~~99-1116~~ (RLA)
97-1243

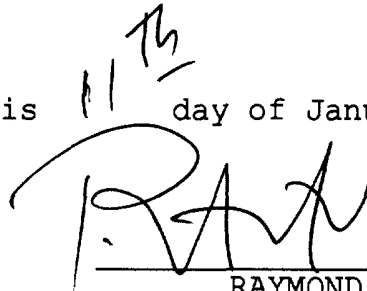
Page 6

than **August 23, 2000** in accordance with the undersigned's STANDING
ORDER FOR CIVIL TRIALS issued on **February 10, 1994**.

The parties shall make the necessary arrangements with the
courtroom deputy clerk to have the evidence marked prior to trial.⁵

IT IS SO ORDERED.

San Juan, Puerto Rico, this 11th day of January, 2000.



RAYMOND L. ACOSTA
United States District Judge

⁵ The parties shall furnish the undersigned an additional copy
of all documents intended to be presented as evidence at trial.

CIVIL NO. ~~99-1116~~ (RLA)
97-1243

Page 7

SUMMARY OF DEADLINES AND SETTINGS

3/20/2000 Deadline for service of dispositive motions.

4/10/2000 Deadline for service of oppositions.

4/24/2000 Deadline for service of replies (if warranted).

5/2/2000 Deadline for service of sur-replies (if warranted).

5/5/2000 Deadline for filing dispositive motion package.

8/11/2000 Deadline for filing JOINT PRETRIAL ORDER

8/18/2000 PRETRIAL/SETTLEMENT CONFERENCE at 10:00 a.m.

8/23/2000 Deadline for filing TRIAL BRIEF, PROPOSED
JURY INSTRUCTIONS, PROPOSED VOIR DIRE and
PROPOSED VERDICT FORM

**** Parties to mark evidence prior to trial

**** Parties to provide the court copy of all documents
intended to be presented as evidence at trial.

8/29/2000 JURY TRIAL at 9:30 a.m.